

10/527,734

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claim 18 is canceled, without prejudice, and such cancellation overcomes the need to enter a new drawing which shows the locking bolts which engage in grooves of the sliding sleeve. Nevertheless, the drawings are amended, per the attached, to overcome a few noted informalities contained therein. The accompanying new Replacement Sheet of formal drawings incorporates all of the requested drawing amendments. If any further amendment to the drawings is believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

The above amended paragraphs of the specification overcome the informalities noted in the specification on file and take into consideration the entered amendments to FIG. 3. The undersigned avers that amended paragraphs [018], [025] and [028] do not contain any new subject matter.

Claims 10 and 16 are objected to for the reasons noted in the official action while claims 16 and 17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The objected to and rejected claims are accordingly amended, by the above claim amendments, and all of the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised objections and the § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Claims 10-12 and 16-18 are then rejected, under 35 U.S.C. § 102(b), as being anticipated by WO/00/63589--which is equivalent to U.S. Patent No. 6,605,019 ("Eckert '019"). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

The relevance of the applied Eckert '019 is discussed in paragraphs 006-008 of the specification. As noted therein, the disadvantage of the Eckert '019 reference is that the sliding sleeve 19, for engaging the first gear and the second gear, is displaceable by an electromagnet comprising magnetic coils 32 and an element 33--it is to be noted that the coils 32 and the element 33 are all located outside of the housing (see claim 12). As is apparent from the description contained within the pending specification, the armature according to Eckert '019 is not directly coupled or connected to the sliding sleeve via a bearing 19--as presently claimed--but instead the armature is only coupled to the sliding sleeve via a lever 25 such that the sliding sleeve is axially movable in the same direction along with the armature. As a result of having the armature 24 directly coupled, via bearing 19, to the sliding sleeve 14, the armature 24 is fixed to move axially along with the sliding sleeve as the sliding sleeve 19 moves to and fro between its first and second positions. The arrangement according to Eckert '019, on the other hand, utilizes a lever to bias the sliding sleeve to and fro between its first and second positions and, in view of this, the armature is not fixed to so that the armature does not move axially along with the sliding sleeve as the sliding sleeve moves to and fro between its first and second positions.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art of Eckert '019, independent claim 10 now recites the features of "wherein a bearing (19) directly couples the armature (24) to the sliding sleeve (14) such that the armature (24) is axially fixed to the sliding sleeve (4) but the sliding sleeve (4) is rotatable relative to the armature (24)" while new independent claim 10 now recites the features of

"wherein a bearing (19) directly connects the armature (24) to the sliding sleeve (4) such that the sliding sleeve (4) is fixed to and moves axially along with the armature (24) while the bearing (19) facilitates relative rotation between the sliding sleeve (4) and the armature (24)".

Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art of Eckert '019. In view of the above amendments and remarks, it is respectfully submitted that the raised anticipatory rejection in view of Eckert '019 should be withdrawn.

The Applicant thanks the Examiner for indicating that claims 13-15 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim(s). In accordance with this indication, claim 13 is appropriately revised, to be an independent claim, and that amended independent claim is now believed to be allowable. As claims 14 and 15 each depend from this new independent claim, those two dependent claims are believed to be allowable as well for at least the same reasons.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Eckert '019 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant

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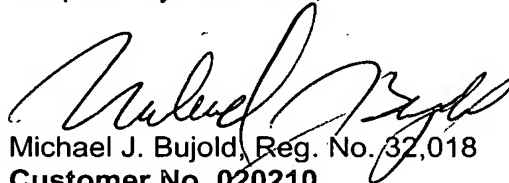
respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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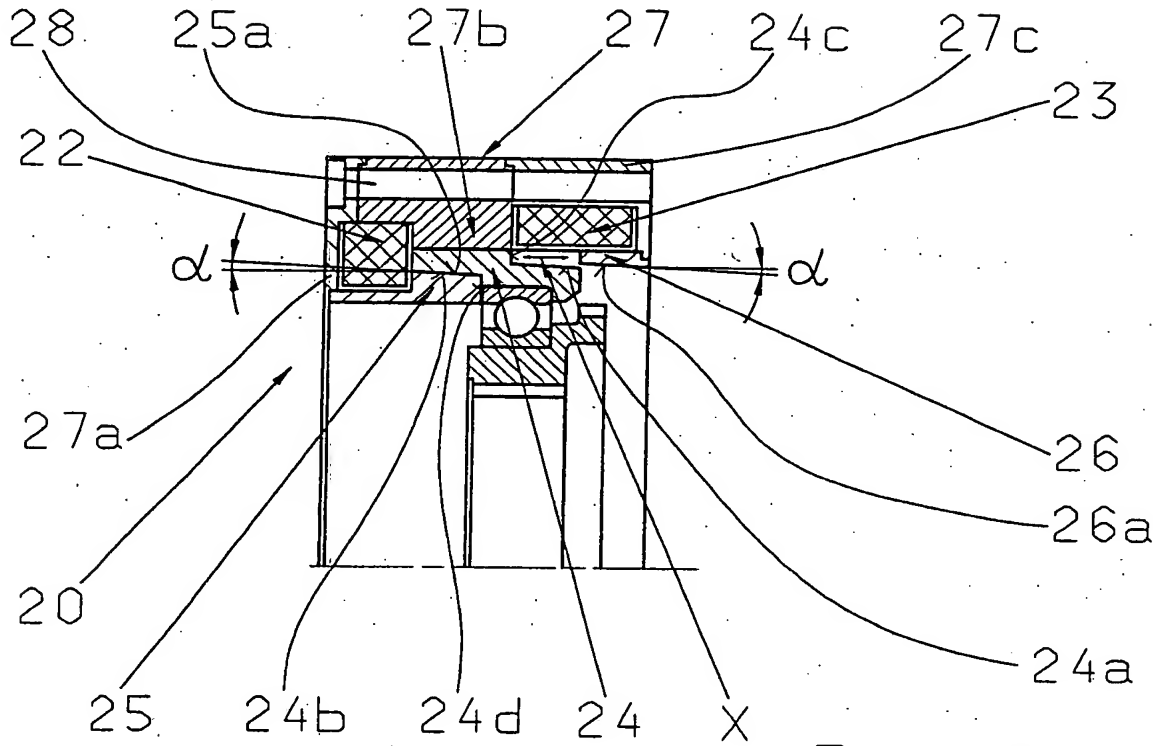


Fig. 2

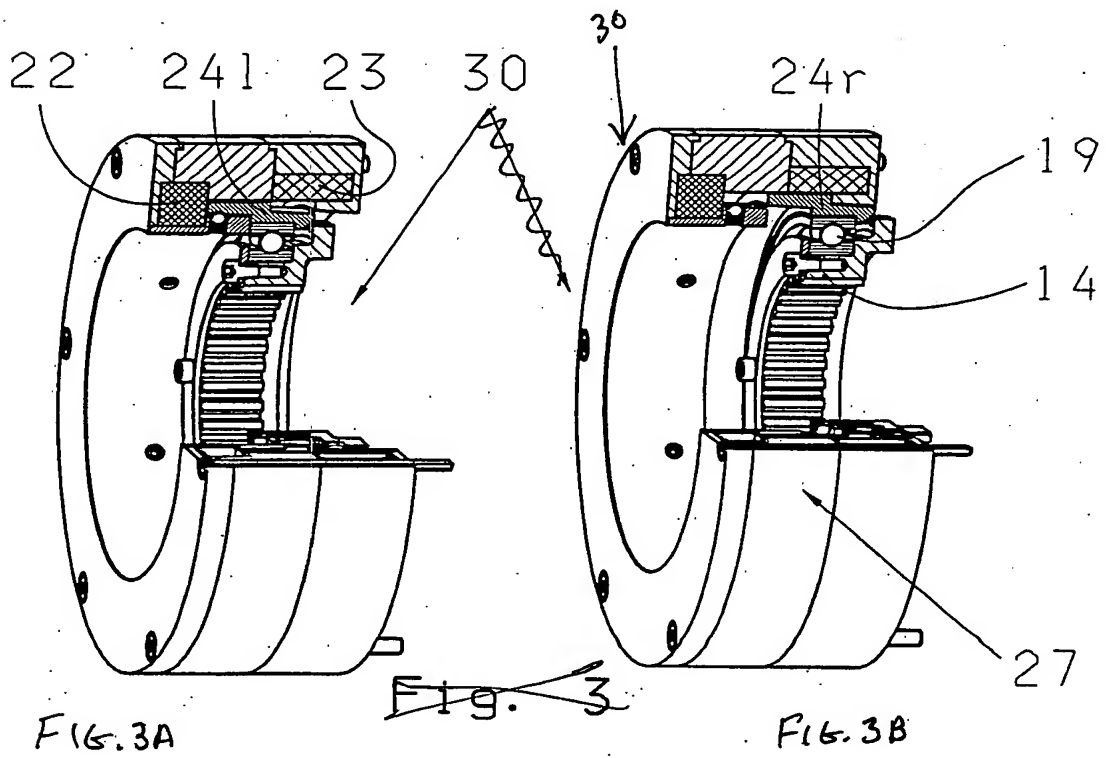


FIG. 3A

Fig. 3

FIG. 3B